

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DEAZAPURINES AND USES THEREOF

the specification of which:

_____ is attached hereto;

 X was filed on **July 7, 2004** as Application **Serial No. 10/500,840** and amended on _____ (if applicable); or

_____ was filed as PCT international application No. _____, on _____ and was amended under PCT Article 19 on _____ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

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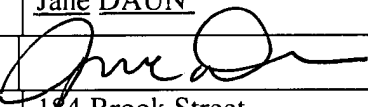
<i>Number</i>	<i>Country</i>	<i>Filing Date</i>	<i>Status</i>	<i>Priority Claimed (Y/N)</i>
PCT/US03/00366	PCT	January 7, 2003	Inactive	Y

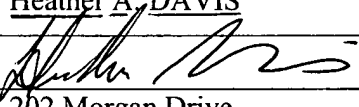
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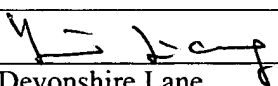
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Signature:			Date: 8/19/04
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Name: 2 - 00	Heather A. DAVIS		
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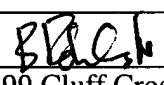
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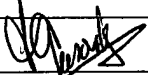
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<i>Number</i>	<i>Country</i>	<i>Filing Date</i>	<i>Status</i>	<i>Priority Claimed (Y/N)</i>
PCT/US03/00366	PCT	January 7, 2003	Inactive	Y

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60/346,598	U.S.	January 7, 2002	Expired	Y

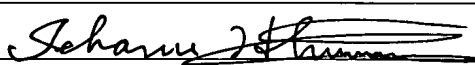
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Name: 10 - 00	LESCARBEAU, André		
Signature:	<i>André Lescarbeau</i>	Date: 08/31/04	
Residence Address:	53 Chester Street Somerville, MA 02144 USA	Citizenship:	CA
Correspondence Address:	Same as above		

Name: 11 - 00	<u>LI, Xiang-Yi</u>		
Signature:	<i>Xiang-Yi Li</i>	Date: Sept 1, 2004	
Residence Address:	229 High Plain Road Andover, MA 01810 USA	Citizenship:	US
Correspondence Address:	Same as above		

Name:	MURAMOTO, Kenzo		
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Signature:		Date:	
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Correspondence Address:	Same as above		

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Signature:		Date:	
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the specification of which:

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PCT/US03/00366	PCT	January 7, 2003	Inactive	Y

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Signature:		Date:	
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Name:	DeCOSTA, Bruce		
Signature:		Date:	
Residence Address:	99 Cluff Crossing Road, Apt. 9 Salem, NH 03079 USA	Citizenship:	UK
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Name:	GUSOVSKY, Fabian		
Signature:		Date:	
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Residence Address:	3-4-9 Kubogaoka Moriya, Ibaraki 301-0104 JAPAN	Citizenship:	JP
Correspondence Address:	Same as above		

Name:	<u>JIANG, Yimin</u>		
Signature:		Date:	
Residence Address:	16 Devonshire Lane Londonderry, NH 03053 USA	Citizenship:	US China
Correspondence Address:	Same as above		

Name:	<u>KANEKO, Toshihiko</u>		
Signature:		Date:	
Residence Address:	1082-70, Taguumachi Ushiku-shi, Ibaraki 300-1236 JAPAN JPX	Citizenship:	JP
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Signature:	<i>Motohiro Soejima</i>	Date: Sep / 2 / 2004	
Residence Address:	Eepera Domo 1-102, 21-29, Higashiarai 8-7 Amakubo 4-Chome 0033 Tsukuba-shi, Ibaraki 305-005 JAPAN	Citizenship:	JP
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Sep. 2, 2004

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PCT/US03/00366	PCT	January 7, 2003	Inactive	Y

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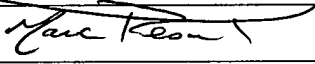
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Correspondence Address:	Same as above		

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the specification of which:

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PCT/US03/00366	PCT	January 7, 2003	Inactive	Y

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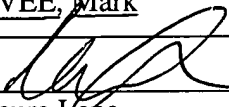
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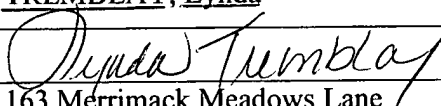
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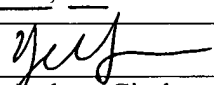
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Prior US National Application(s) Application(s) and PCT Applications Designating the US:

<i>Number</i>	<i>Country</i>	<i>Filing Date</i>	<i>Status</i>	<i>Priority Claimed (Y/N)</i>
PCT/US03/00366	PCT	January 7, 2003	Inactive	Y

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national filing date of this application.

Prior US Provisional Application(s):

<i>Number</i>	<i>Country</i>	<i>Filing Date</i>	<i>Status</i>	<i>Priority Claimed (Y/N)</i>
60/346,598	U.S.	January 7, 2002	Expired	Y

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Name:	Jane DAUN		
Signature:		Date:	
Residence Address:	184 Brook Street Dracut, MA 01826 USA	Citizenship:	US
Correspondence Address:	Same as above		

Name:	<u>Heather A. DAVIS</u>		
Signature:		Date:	
Residence Address:	202 Morgan Drive Haverhill, MA 01832 USA	Citizenship:	CA
Correspondence Address:	Same as above		

Name:	DeCOSTA, Bruce		
Signature:		Date:	
Residence Address:	99 Cluff Crossing Road, Apt. 9 Salem, NH 03079 USA	Citizenship:	UK
Correspondence Address:	Same as above		

Name:	GUSOVSKY, Fabian		
Signature:		Date:	
Residence Address:	28 Algonquin Avenue Andover, MA 01810 USA	Citizenship:	US
Correspondence Address:	Same as above		

Name:	HISHINUMA, Ieharu		
Signature:		Date:	
Residence Address:	3-4-9 Kubogaoka Moriya, Ibaraki 301-0104 JAPAN	Citizenship:	JP
Correspondence Address:	Same as above		

Name:	<u>JIANG, Yimin</u>		
Signature:		Date:	
Residence Address:	16 Devonshire Lane Londonderry, NH 03053 USA	Citizenship:	US China
Correspondence Address:	Same as above		

Name:	<u>KANEKO, Toshihiko</u>		
Signature:		Date:	
Residence Address:	1082-70, Taguumachi Ushiku-shi, Ibaraki 300-1236 JAPAN JPX	Citizenship:	JP
Correspondence Address:	Same as above		

Name:	<u>KIKUCHI, Kouichi</u>		
Signature:		Date:	
Residence Address:	3628-95 Kandatsu-Machi Tsuchiura-shi, Ibaraki 300-0013 JAPAN JPX	Citizenship:	JP
Correspondence Address:	Same as above		

Name:	<u>KOBAYASHI, Seiichi</u>		
Signature:		Date:	
Residence Address:	28 Trowbridge Street Belmont, MA 02478 USA	Citizenship:	JP
Correspondence Address:	Same as above		

Name:	<u>LESCARBEAU, André</u>		
Signature:		Date:	
Residence Address:	53 Chester Street Somerville, MA 02144 USA	Citizenship:	CA
Correspondence Address:	Same as above		

Name:	<u>LI, Xiang-Yi</u>		
Signature:		Date:	
Residence Address:	229 High Plain Road Andover, MA 01810 USA	Citizenship:	US
Correspondence Address:	Same as above		

Name:	MURAMOTO, Kenzo		
Signature:		Date:	
Residence Address:	4-2-19 Ninomiya Tsukuba-shi, Ibaraki 305-0051 JAPAN	Citizenship:	JP
Correspondence Address:	Same as above		

Name:	OHI, Norihito		
Signature:		Date:	
Residence Address:	1-12-7, Nanpeidai, Ami Inashiki-gun, Ibaraki 300-0312 JAPAN	Citizenship:	JP
Correspondence Address:	Same as above		

Name:	<u>PESANT, Marc</u>		
Signature:		Date:	
Residence Address:	348 River road, Apt. B <u>Andover</u> , MA 01810 USA	Citizenship:	CA
Correspondence Address:	Same as above		

Name:	SELETSKY, Boris M.		
Signature:		Date:	
Residence Address:	8 Delphi Circle Andover, MA 01810 USA	Citizenship:	RU
Correspondence Address:	Same as above		

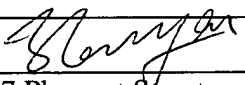
Name:	SOEJIMA, Motohiro		
Signature:		Date:	
Residence Address:	Eepera Domo 1-102, 8-7 Amakubo 4-Chome Tsukuba-shi, Ibaraki 305-005 JAPAN	Citizenship:	JP
Correspondence Address:	Same as above		

Name:	SPYVEE, Mark		
Signature:		Date:	
Residence Address:	75 Laura Lane Hampstead, NH 03841 USA	Citizenship:	UK
Correspondence Address:	Same as above		

Name:	TREMBLAY, Lynda		
Signature:		Date:	
Residence Address:	163 Merrimack Meadows Lane Tewksbury, MA 01876 USA	Citizenship:	CA
Correspondence Address:	Same as above		

Name:	YAO, Ye		
Signature:		Date:	
Residence Address:	9 Andrew Circle North Andover, MA 01845 USA	Citizenship:	CA
Correspondence Address:	Same as above		

Name:	YOKOHAMA, Hiromitsu		
Signature:		Date:	
Residence Address:	3-1-14 Matsugaoka Moriya-shi, Ibaraki 302-0127 JAPAN	Citizenship:	JP
Correspondence Address:	Same as above		

Name:	ZHAO, Yan (Janet) 21 - 00		
Signature:		Date: 8/19/04	
Residence Address:	107 Pleasant Street North Andover, MA 01845 USA	Citizenship:	P. Rep. China
Correspondence Address:	Same as above		

Name:	ZHENG, Wanjun		
Signature:		Date:	
Residence Address:	14 Devonshire Lane Londonderry, NH 03053 USA	Citizenship:	US
Correspondence Address:	Same as above		

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DEAZAPURINES AND USES THEREOF

the specification of which:

_____ is attached hereto;

 X was filed on **July 7, 2004** as Application Serial No. **10/500,840** and amended on _____ (if applicable); or

_____ was filed as PCT international application No. _____, on _____ and was amended under PCT Article 19 on _____ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledged the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

<i>Number</i>	<i>Country</i>	<i>Filing Date</i>	<i>Status</i>	<i>Priority Claimed (Y/N)</i>

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in

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PCT/US03/00366	PCT	January 7, 2003	Inactive	Y

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

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Name:	<u>Heather A. DAVIS</u>		
Signature:		Date: / /	
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Signature:		Date:	
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Correspondence Address:	Same as above		

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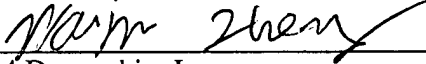
Name:	TREMBLAY, Lynda		
Signature:		Date:	
Residence Address:	163 Merrimack Meadows Lane Tewksbury, MA 01876 USA	Citizenship:	CA
Correspondence Address:	Same as above		

Name:	YAO, Ye		
Signature:		Date:	
Residence Address:	9 Andrew Circle North Andover, MA 01845 USA	Citizenship:	CA
Correspondence Address:	Same as above		

Name:	20-00 <u>YOKOHAMA, Hiromitsu</u>		
Signature:	<i>Hiromitsu Yokohama</i>	Date: <i>Sep. 1, 2004</i>	
Residence Address:	3-1-14 Matsugasaki <i>6-17-3, Keyakidai</i> Moriya-shi, Ibaraki 302-0127 JAPAN <i>JP</i>	Citizenship:	JP
Correspondence Address:	Same as above <i>302-0128</i>		

*249.
Sep. 1, 2004*

Name:	ZHAO, Yan (Janet)		
Signature:		Date:	
Residence Address:	107 Pleasant Street North Andover, MA 01845 USA	Citizenship:	P. Rep. China
Correspondence Address:	Same as above		

Name: 22-00	ZHENG, Wanjun		
Signature:		Date: 8-19-04	
Residence Address:	14 Devonshire Lane Londonderry, NH 03053 USA	Citizenship:	US
Correspondence Address:	Same as above		

ATTORNEY'S DOCKET NUMBER: 2003926-0091 (IKKI/US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daun, *et al.* Examiner: NYA
Serial No.: 10/500,840 Art Unit: NYA
Filed: July 7, 2004
Corresp. to Int. Appl. No.: PCT/US03/00366; Filed: January 7, 2003
For: DEAZAPURINES AND USES THEREOF

Sir:

APPOINTMENT OF ATTORNEY


The undersigned hereby appoints:

The attorneys/agents associated with **Customer No. 24280** as its attorneys and agents for prosecution of matters relating to the above-identified patent application and to conduct all business in the United States Patent and Trademark Office.

All correspondence should be sent to:

Patent Department
CHOATE, HALL & STEWART
Exchange Place
53 State Street,
Boston, MA 02109

Respectfully submitted,



Name: Hiroshi Yoshino

Title: Director of Intellectual Property Department
On behalf of: EISAI CO., LTD.

Dated: September 27, 2004

ATTORNEY'S DOCKET NUMBER: 2003926-0091 (IKKI/US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daun, *et al.* Examiner: NYA
Serial No.: 10/500,840 Art Unit: NYA
Filed: July 7, 2004
Corresp. to Int. Appl. No.: PCT/US03/00366; Filed: January 7, 2003
For: DEAZAPURINES AND USES THEREOF


Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. § 1.497(d)(1)

Sir:

I, Mark Spyvee, respectfully submit that the inventorship error of failing to include the undersigned as a co-inventor of International Patent Application No.: PCT/US03/00366 filed January 7, 2003, of which the above-caption application is a National Stage entry under 35 U.S.C. § 371, occurred without deceptive intention on my part.

Respectfully Submitted,



Mark Spyvee
Date: 8/16/04

ATTORNEY'S DOCKET NUMBER: 2003926-0091 (IKKI/US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daun, *et al.* Examiner: NYA
Serial No.: 10/500,840 Art Unit: NYA
Filed: July 7, 2004
Corresp. to Int. Appl. No.: PCT/US03/00366; Filed: January 7, 2003
For: DEAZAPURINES AND USES THEREOF

Sir:

ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION
(37 CFR § 3.73(b))

The inventors of the above-referenced United States patent application have assigned their entire right, title, and interest in the inventions disclosed therein according to the following table:

Inventor	Assignee
DAUN, Jane	EISAI CO., LTD.
DAVIS, Heather A.	EISAI CO., LTD.
DeCOSTA, Bruce F.	EISAI CO., LTD.
GUSOVSKY, Fabian	EISAI CO., LTD.
HISHINUMA, Ieharu	EISAI CO., LTD.
JIANG, Yimin	EISAI CO., LTD.
KANEKO, Toshihiko	EISAI CO., LTD.
KIKUCHI, Kouichi	EISAI CO., LTD.
KOBAYASHI, Seiichi	EISAI CO., LTD.
LESCARBEAU, André	EISAI CO., LTD.
LI, Xiang- Yi	EISAI CO., LTD.
MURAMOTO, Kenzo	EISAI CO., LTD.
OHI, Norihito	EISAI CO., LTD.
PESANT, Marc	EISAI CO., LTD.
SELETSKY, Boris M.	EISAI CO., LTD.
SOEJIMA, Motohiro	EISAI CO., LTD.
SPYVEE, Mark	EISAI CO., LTD.
TREMBLAY, Lynda	EISAI CO., LTD.
YAO, Ye	EISAI CO., LTD.
YOKAHAMA, Hiromitsu	EISAI CO., LTD.
ZHAO, Yan (Janet)	EISAI CO., LTD.
ZHENG, Wanjun	EISAI CO., LTD.

Thus, the Assignee of the inventors' entire right, title, and interest is:

EISAI CO., LTD.

According to 37 CFR § 3.73(b), the Assignee is entitled to take action relating to the application in the Patent and Trademark Office if the Assignee establishes ownership to the satisfaction of the Commissioner.

Ownership by the assignee is established as follows:


_____ documents already recorded in the PTO on _____.

Reel _____ Frame _____; and

X documents separately submitted for recordal to the PTO (a copy of these documents is attached).

STATEMENT

I, person(s) authorized to sign on behalf of the Assignee, have reviewed the evidentiary documents referred to above and certify that, to the best of my knowledge and belief, title is mine/ours as Assignee who seeks to take further action.

Name/Title	Assignee	Date
Signature: <u></u> Name: Hiroshi Yoshino Title: Director of Intellectual Property Department	EISAI CO., LTD., 6-10, Koishikawa 4-Chome, Bunkyo-ku, Tokyo 112-8088, Japan	<u>Sep. 27, 2004</u>

ASSIGNMENT

COPY

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, each of the undersigned **Jane DAUN, Heather A. DAVIS, Bruce F. DeCOSTA, Fabian GUSOVSKY, Ieharu HISHINUMA, Yimin JIANG, Toshihiko KANEKO, Kouichi KIKUCHI, Seiichi KOBAYASHI, André LESCARBEAU, Xiang-Yi LI, Kenzo MURAMOTO, Norihito OHI, Marc PESANT, Boris M. SELETSKY, Motohiro SOEJIMA, Mark SPYVEE, Lynda TREMBLAY, Ye YAO, Hiromitsu YOKOHAMA, Yan (Janet) ZHAO, Wanjun ZHENG**, whose addresses are set forth below; hereby

Sells, assigns and transfers to **Eisai Co., Ltd.** having a place of business at **6-10, Koishikawa 4-chome, Bunkyo-ku, Tokyo, 112-8088, Japan**, its successors, assigns and legal representatives, all hereinafter referred to as the **ASSIGNEE**, his/her entire right, title and interest for the **United States and all foreign countries**; in and to any and all inventions which are disclosed in the application for United States Letters Patent entitled **"DEAZAPURINES AND USES THEREOF"** as follows:

- 1) U.S. 10/500,840 filed 7 July 2004 under 35 U.S.C. § 371;
- 2) PCT/US03/00366 filed 7 January 2003 in the RO/US;
- 3) U.S. 60/346,598 filed 7 January 2002;

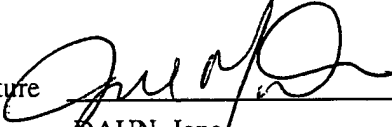
in and to said application and all divisional, continuing, substitute, renewal, reissue reexamination or other application for Letters Patent which has been or shall be filed in the United States or any foreign country on any of said inventions, and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

Agrees that said **ASSIGNEE** may apply for and receive Letters Patent for said inventions in its own name and when requested, without charge to but at the expense of said **ASSIGNEE**, agrees to carry out in good faith the intent and purpose of this Assignment by executing all divisional, continuing, substitute, renewal, reissue, reexamination and all other patent applications on any and all said inventions; by executing all rightful oaths, assignments, powers of attorney and other papers; by communicating to said **ASSIGNEE** all facts known to him/her relating to said inventions and the history thereof, and generally by doing everything possible which said **ASSIGNEE** shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said **ASSIGNEE**.

Hereby requests the Honorable Commissioner of Patents and Trademarks to issue said

Letters Patent to said ASSIGNEE.

Covenants with said ASSIGNEE that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by him/her, and that full right to convey the same as herein expressed is possessed by him/her.

Signature 
 Name DAUN, Jane
 Date 8/19/84
 Nationality U.S.A.
 Address 184 Brook Street
Dracut, MA 01826,
U.S.A.

Signature _____
 Name DAVIS, Heather A.
 Date _____
 Nationality CANADA
 Address 202 Morgan Drive
Haverhill, MA 01832
U.S.A.

Signature _____
 Name De COSTA, Bruce
 Date _____
 Nationality UNITED KINGDOM
 Address 99 Cluff Crossing Road, Apt C9
Salem, NH 03079
U.S.A.

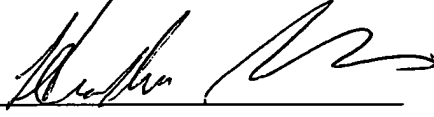
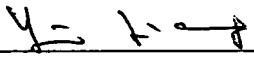
Signature _____
 Name GUSOVSKY, Fabian
 Date _____
 Nationality U.S.A.
 Address 28 Algonquin Avenue
Andover, Massachusetts 01810
U.S.A.

Signature _____
 Name HISHINUMA, Ieharu
 Date _____
 Nationality JAPAN
 Address 3-4-9 Kubogaoka
Moriya, Ibaraki 301-0104
Japan

Signature _____
 Name JIANG, Yimin
 Date _____
 Nationality U.S.A.
 Address 16 Devonshire Lane
Londonderry, NH 03053
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Letters Patent to said ASSIGNEE.

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Signature _____	Signature  _____
Name <u>DAUN, Jane</u>	Name <u>DAVIS, Heather A.</u>
Date _____	Date <u>09-01-04</u>
Nationality <u>U.S.A.</u>	Nationality <u>CANADA</u>
Address <u>184 Brook Street</u>	Address <u>202 Morgan Drive</u>
<u>Dracut, MA 01826,</u>	<u>Haverhill, MA 01832</u>
<u>U.S.A.</u>	<u>U.S.A.</u>
Signature _____	Signature _____
Name <u>De COSTA, Bruce</u>	Name <u>GUSOVSKY, Fabian</u>
Date _____	Date _____
Nationality <u>UNITED KINGDOM</u>	Nationality <u>U.S.A.</u>
Address <u>99 Cluff Crossing Road, Apt C9</u>	Address <u>28 Algonquin Avenue</u>
<u>Salem, NH 03079</u>	<u>Andover, Massachusetts 01810</u>
<u>U.S.A.</u>	<u>U.S.A.</u>
Signature _____	Signature  _____
Name <u>HISHINUMA, Ieharu</u>	Name <u>JIANG, Yimin</u>
Date _____	Date <u>9/1/04</u>
Nationality <u>JAPAN</u>	Nationality <u>USA China</u>
Address <u>3-4-9 Kubogaoka</u>	Address <u>16 Devonshire Lane</u>
<u>Moriya, Ibaraki 301-0104</u>	<u>Londonderry, NH 03053</u>
<u>Japan</u>	<u>U.S.A.</u>

Letters Patent to said ASSIGNEE.

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Signature BACW
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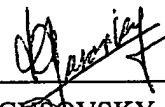
Letters Patent to said ASSIGNEE.

Covenants with said ASSIGNEE that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by him/her, and that full right to convey the same as herein expressed is possessed by him/her.

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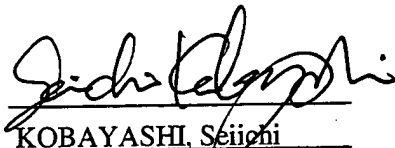
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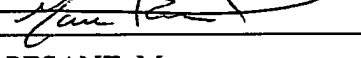
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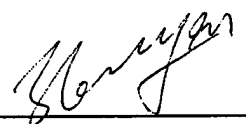
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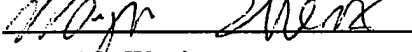
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